

## UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America  
v.ROWAN M. OLSEN,  
aka KEIFER ALAN MOORE,

Case No. 3:20-mj-00147

Defendant(s)

**CRIMINAL COMPLAINT  
BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 2, 2020 in the county of Multnomah in the  
District of Oregon, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
41 C.F.R. § 102.74.380(d);	Count 1: Creating a Hazard on Federal Property
41 C.F.R. § 102.74.390; and	Count 2: Disorderly Conduct on Federal Property
41 C.F.R. § 102.74.385	Count 3: Failing to Obey a Lawful Order

This criminal complaint is based on these facts:

See Attached Affidavit of Federal Protective Service SeniorSpecial Agent David Miller


☒ Continued on the attached sheet.

/s/ Signed IAW Fed. R. Crim. P. 4.1

Complainant's signature

David Miller, Special Agent, FPS

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
telephone at 5:44 ~~xxxx~~/p.m.Date: July 4, 2020

Judge's signature

City and state: Portland, Oregon

HON. YOULEE YIM YOU, U.S. Magistrate Judge

Printed name and title

1. I am employed as a Special Agent (SA) with the Federal Protective Service (FPS) and have been employed by FPS since October 2009. I have participated in several investigations relating to the protection of federal facilities and personnel. I am currently assigned to Region 10 in Portland, Oregon as a general crimes agent and in the capacity of a part time Task Force Officer for the United States Marshals Service (USMS) Pacific Northwest Violent Offender Task Force, part time investigator for the FPS Office of Internal Investigations (OII) and liaison for the Federal Bureau of Investigation (FBI) Joint Terrorism Task Force (JTTF) . I was previously a Special Agent with the Naval Criminal Investigative Service (NCIS) serving as a member of the Major Crimes Response Team (MCRT) and Foreign Counterintelligence agent from April 2006 until October 2009. I am a former Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in Yakima, Washington having been employed from September 2002 until April 2006. Before the positions listed, I have been a former Federal Air Marshal, ATF Inspector, Honolulu Police Officer, Salina Police Officer and Great Bend Police Officer and started my law enforcement career in 1991. I graduated from the FPS Advanced Individual Training Program in November 2009. I graduated from the NCIS Advanced Individual Academy in 2006. I graduated from the ATF National Academy in June of 2003. I graduated from the Federal Law Enforcement Training Center Criminal Investigator Course in March of 2003. I graduated from the Federal Law Enforcement

Training Center Civil Aviation Security Specialist Course in February of 2002 and the ATF Inspector Course in January of 2001. I graduated from the Honolulu Police Department Academy in June of 1999 and the Kansas Law Enforcement Training Academy in January of 1994. I graduated from the U.S. Army Military Intelligence Officer Basic Course in August of 1996 and the U.S. Army Military Intelligence Enlisted Course in February of 1988. I received a bachelor's degree in Social Sciences at Emporia State University in 1992 and an Associate Degree in Criminal Justice at Barton County Community College in 1995. As a result of training and experience as an FPS Special Agent, I am familiar with Federal laws.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for Rowan M. Olsen (OLSEN). As set forth below, there is probable cause to believe, and I do believe, that OLSEN committed the following offenses: Creating a Hazard on Federal Property in violation of 41 C.F.R. § 102.74.380(d), Disorderly Conduct on Federal Property in violation of 41 C.F.R. § 102.74.390, and Failing to Obey a Lawful Order in violation of 41 C.F.R. § 102.74.385.

3. The facts set forth in this affidavit are based on the following: my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, interviews of witnesses, my review of records related to this investigation, communication with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience. Because this affidavit is submitted for the limited purpose of establishing probable cause in support of the application for an arrest warrant, it does not set forth each fact that I or others have learned during this investigation.

**Applicable Law**

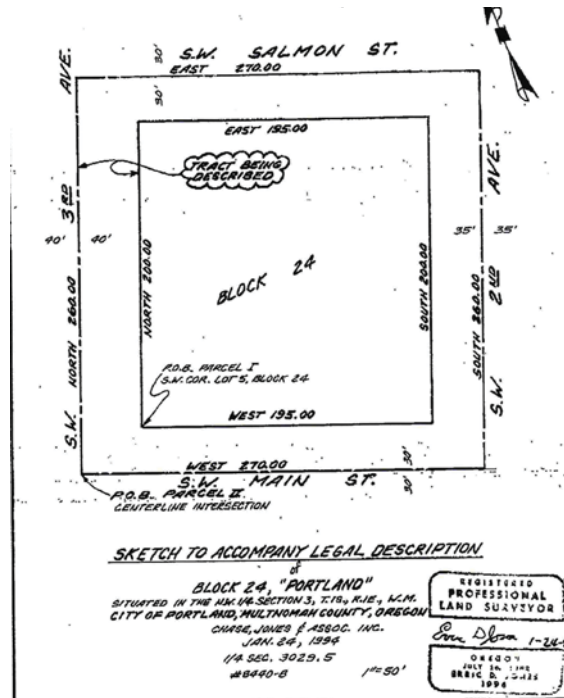
4. Subject Offenses: I believe probable cause exists that Rowen M. Olsen committed the following offenses:

- 41 C.F.R. 102-74-380(d) (Creating a Hazard on Federal Property): provides that all persons on federal property are prohibited from creating any hazard on property to persons and things.
- 41 C.F.R. 102-74.390(a), (b) and (c) (Disorderly Conduct): provides that all persons on federal property are prohibited from loitering, exhibiting disorderly conduct or exhibiting other conduct on property that (a) creates loud or unusual noise or nuisance; (b) unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways or parking lots; and (c) otherwise impedes or disrupts the performance of official duties by Government employees.
- 41 C.F.R. 102-74.385 (Failing to Obey a Lawful Order): provides in pertinent part that persons in and on federal property must at all times comply with the lawful direction of Federal police officers and other authorized individuals.

**Statement of Probable Cause**

5. Since on or about May 26, 2020, protesters have gathered in Portland public areas to protest. Three of these public areas are Lownsdale Square, Chapman Square and Terry Schrunk Plaza. The Portland Justice Center, housing Portland Police Bureau's (PPB) Central Precinct and the Multnomah County Detention Center (MCDC), border these parks, as does the

Mark O. Hatfield United States Federal Courthouse<sup>1</sup>. The United States of America owns the entire city block (Block #24) occupied by the courthouse building depicted below:



Daily protests have regularly been followed by nightly criminal activity in the form of vandalism, destruction of property, looting, arson, and assault. Most violent of these impacting federal property occurred on May 28, 2020, when the Portland Field Office for the Immigration and Customs Enforcement (ICE) was targeted by a Molotov Cocktail. The Mark O. Hatfield Courthouse has experienced significant damage to the façade and building fixtures during the six weeks following this incident. Additionally, mounted building security cameras and access control devices have been vandalized or stolen. The most recent repair estimate for the damage at the Mark O. Hatfield Courthouse is in excess of \$50,000. Other federal properties in the area

<sup>1</sup> As part of my duties, I am familiar with the property boundaries for federal facilities in the Portland Oregon area. The federal government owns the entire city block occupied by the Mark O. Federal Courthouse. Easements have been granted for the sidewalks surrounding the facility. The property boundary extends past the sidewalks and into the streets surrounding the courthouse.

routinely being vandalized include the historic Pioneer Federal Courthouse, the Gus Solomon Courthouse, and the Edith Green Wendall Wyatt Federal Office Building. FPS law enforcement officers, US Marshal Service Deputies and other federal law enforcement officers working in the protection of the Mark O. Hatfield Courthouse have been subjected to threats, aerial fireworks including mortars, high intensity lasers targeting officer's eyes, thrown rocks, bottles and balloons filled with paint, and vulgar language from demonstrators while performing their duties.

6. On July 2, 2020, OLSEN obstructed, impeded, and interfered with FPS and USMS during the performance of their official duties in protecting federal property, namely the Mark O. Hatfield Federal Courthouse. OLSEN entered onto the federal property and used his body to push on and hold a door being used by officers closed preventing the officers from exiting the building. These actions contributed to the glass door breaking, injuring a Deputy US Marshal, and compromised the security integrity of the Federal Courthouse. With the door broken, officers were subject to projectiles from demonstrators, to include a mortar firework which detonated amongst them. Officers used a riot shield and their bodies to block the open doorway for approximately six hours until the demonstrators were dispersed, and the broken door replaced with plywood.

7. On July 3, 2020, at approximately 1:44 a.m., Special Agents (SAs) David Miller and Micah Coring interviewed Deputy United States Marshal (DUSM) Alexander Penvela at the Hatfield USCH. DUSM Penvela related he was at the front glass door entrance of the Hatfield Courthouse at approximately 11:38 p.m. with other DUSMS and officers of the Federal Protective Service. Protestors had begun coming to the door and attempted to pull on the door and interfere with operations. DUSM Penvela was holding onto the door and an unknown white

male, later identified as OLSEN, was tugging on the glass door. Another unknown subject placed a 2"x4" wood board into the glass doorway during the standoff and the door completely shattered. It was several minutes before any attempt was made to arrest OLSEN due to the agitated crowd outside the courthouse entrance. When it became safe, an arresting team went outside and grabbed OLSEN, with all of them ending up on the ground. OLSEN was kicking his legs in an apparent attempt to get up and escape. DUSM Penvela grabbed OLSEN'S legs while two other DUSMs handcuffed him and carried OLSEN'S upper torso. OLSEN was carried into the courthouse and subsequently placed into a USMS detention cell. OLSEN was surprisingly quiet and did not utter any words during the arrest. DUSM Penvela sustained small lacerations on both hands and arms from the shattered glass door.

8. On July 3, 2020, at approximately 4:50 a.m., SA Miller and SA Coring interviewed DUSM Mitchell V. Batty at the Hatfield USCH. DUSM Batty related he was on the arrest team and OLSEN had been identified as the subject who had shattered the front glass door. Due to the aggressive crowd and safety concerns, the arrest team waited approximately 30 to 60 minutes after the door had been shattered before arresting OLSEN. When the command was given, the arrest team went outside and DUSM Batty put his arms around OLSEN and they subsequently ended up on the ground. DUSM Batty helped handcuff the subject and bring OLSEN into the building.

9. On July 3, 2020, at approximately 5 a.m., SA Miller and SA Coring interviewed DUSM Troy Gangwisch at the Hatfield USCH. DUSM Gangwisch related it was extremely chaotic due to the aggressive crowd and fireworks being shot towards the law enforcement personnel. DUSM Gangwisch described a wrestling match at the front glass door between the

USMS and protestors. He saw a shirtless white male, later identified as OLSEN, at the glass door when it shattered. OLSEN left the immediate area but later returned. A female FPS officer (Inspector Stephanie Blasingame) pointed out OLSEN as the person responsible for shattering the glass. The arrest team went outside and grabbed OLSEN. OLSEN initially resisted by refusing to place his arms behind his back with DUSM Gangwisch placing OLSEN's left arm behind his back and OLSEN then allowed his right arm to go behind his back. OLSEN was handcuffed and brought into the courthouse and was subsequently taken to a USMS holding cell on the fourth floor for processing.

10. On July 3, 2020, at approximately 5:30 a.m., SA Miller interviewed Protective Security Officer (PSO) David Ide at the Hatfield USCH. PSO Ide related he observed several protestors attacking the front glass door of the USCH and a tug of war ensued between protestors and DUSMs. PSO Ide believes he saw a white shirtless male possibly wedge a skateboard between the glass door and glass wall which caused the glass door to shatter. The DUSMs subsequently went outside and arrested the subject and brought him inside the USCH.

11. On July 3, 2020, at approximately 10:33pm, Federal Protective Service (FPS) Inspector Stephanie Blasingame provided a typed narrative to SA Miller which is summarized below:

At approximately 2330 hours, she observed a male subject, later identified as OLSEN, wearing camouflage pants, no shirt and carrying a skateboard. He walked on to Federal property and approached the entrance doors closest to the north side of the building. OLSEN walked up to the entrance and began yelling "Fuck you" and other unintelligible words at the officers standing inside the entrance. FPS Inspector O'NEAL gave several trespass warnings to OLSEN and



dispersed him from the property using the Pepper ball Launcher System (PLS). OLSEN ran west towards Lonsdale Park after being dispersed but returned minutes later. OLSEN again approached the building entrance doors and began to yell at officers through the glass doors. He then placed his right arm on the door, attempting to force the door to stay closed. A few moments later, an unidentified female subject approached the doorway and slid a long wooden 2" x 4" into the bottom portion handles of the door attempting to barricade the door shut and prevent the law enforcement officers from egressing the courthouse. Simultaneously, a USMS Deputy Marshal was pushing on the handle of the door from the interior attempting to open the door and prevent the placement of the 2" x 4". OLSEN continued to keep his right arm on the right side of the door and attempted to hold it shut to ensure the female subject could barricade the door. The pressure between the 2" x 4" placement, the door being pushed from the inside, and OLSEN's attempt to keep the door shut caused the door to crack under the pressure and shatter completely. OLSEN along with the female subject and two other unknown subjects who were on property ran west towards the park. A few minutes later, OLSEN returned to the property. At that time, the USMS determined that they were going to exit the building to take OLSEN into custody. At approximately 2340 hours, the USMS, along with FPS, exited the facility. The USMS took custody of OLSEN while FPS provided perimeter security. The DUSMs subsequently transported OLSEN to the holding cell.

12. On July 3, 2020, at approximately 5:55am, SA Miller and SA Coring identified themselves to OLSEN with their agency issued credentials, who was being held in a USMS detention cell on the 4th floor of the Hatfield USCH. SA Miller asked OLSEN if he was willing to provide a statement and he stated he did wish to provide a verbal statement.

SA Coring activate his agency issued Olympus Digital Voice Recorder model WS-500M and read the preamble to OLSEN. SA Miller then verbally advised OLSEN of his Miranda Rights. OLSEN again agreed to provide a verbal statement.

OLSEN verbally identified himself as Kiefer Alan Moore with a date of birth of May 5, 1996 and had possession of an Oregon drivers license of Moore but contained a photograph that did not match OLSEN. OLSEN's statement is summarized below:

He is a peaceful person who has been victimized by law enforcement in the past. He did not touch the glass door of the USCH at any time nor was he near enough to the door to affect it in any way but did have to get back from the same glass door to insure he was not injured by the door. He stated a cop tried to push a door out and he didn't want to be hit by the door. He did want to get close enough to speak to the officers. SA Miller asked if he heard any verbal warnings to leave federal property and OLSEN stated he could not hear due to the masks the officers were wearing. OLSEN related he believed an officer inside the courthouse purposely broke the glass door. OLSEN motioned a punch with a closed fist and stated the officer was probably frustrated and punched out the glass door. OLSEN showed the back of both his hands and complained of being injured but was not going to sue. SA Miller observed a small amount of dried blood on some of OLSEN'S fingers and back of his hand with minor scratches. SA Miller asked OLSEN how he had been injured on his hands and OLSEN related it happened when he was arrested and slammed to the ground with broken glass on the ground. SA Miller observed no other injuries, lacerations or blood anywhere else on OLSEN'S body and OLSEN did not indicate any other injuries besides the back of his hands.

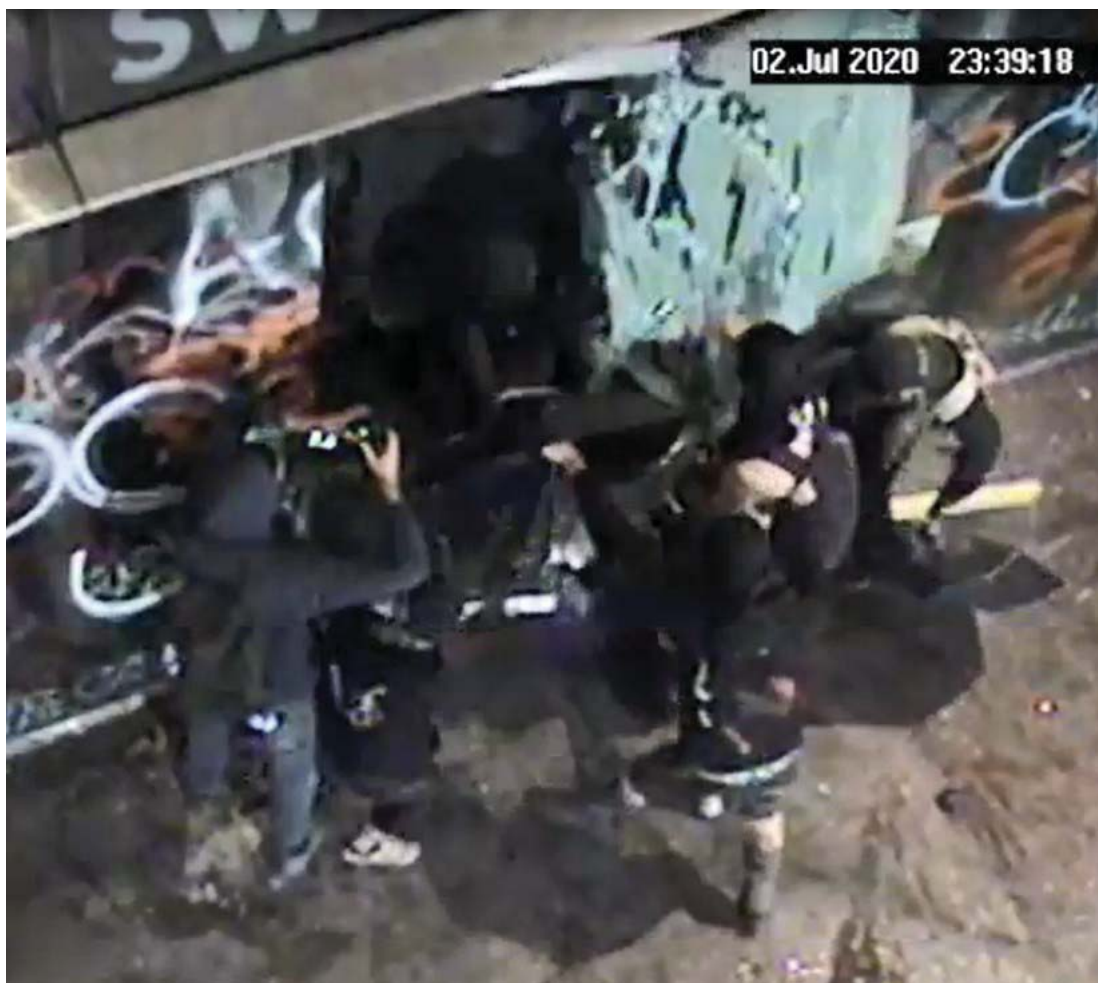
13. The U.S. Federal Courthouse has an extensive video surveillance system that records many parts of the Hatfield Courthouse. I was able to review some of the security footage from this incident. From my review of the footage, the timestamp of the surveillance shows 11:38pm when OLSEN engages with USMS Deputies at the lobby entrance. The video is from above and behind three subjects facing the glass doors to the building's lobby. The three subjects are attired in dark or black clothing. One subject is holding a camera to the glass, a second is kneeling and using a skateboard as a shield, and a third pointing an open black umbrella at the glass doors. Bright flashing strobe lights and green laser beams are being shined on the front doors and the officers inside. The following photos are screen captures from the Hatfield security cameras from the night of the incident:



*Flashing strobe lights and green lasers aimed at officers*



*Olsen (second from right) is shirtless holding the doors shut as the wood is placed to bar the doors closed*



*Door shatters*





*Officers standing the in the entry securing the facility with their bodies and riot shields*

From the video, OLSEN approaches the front doors. He is shirtless, wearing a black backpack, carrying a guitar and skateboard. An officer inside the building pushes OLSEN back with the door twice. OLSEN places his right hand to the door and shortly after, his right forearm in an apparent attempt to keep officers from opening the door. A second person in dark clothing with a camera joins the group at the front doors, shining a bright light on the glass and officers inside. A fifth person wearing dark clothing enters the video from the south carrying a 2" x 4" piece of lumber which they push along the bottom of the door. Officers and OLSEN begin pushing back and forth on the door and the door shatters seconds later. During the next 10 minutes of video, a

mortar firework is thrown into the lobby and detonates amongst the officers, strobe lights and green lasers continue to be employed by demonstrators. OLSEN is seen moving in and out of the area, appearing to yell and point at officers. At times OLSEN is within 20-30 feet of officers. With the door now breached, the officers were exposed to commercial grade fireworks that were launched from the crowd at the entry of the Courthouse:



*Commercial grade fireworks launched into the entry of the Courthouse*

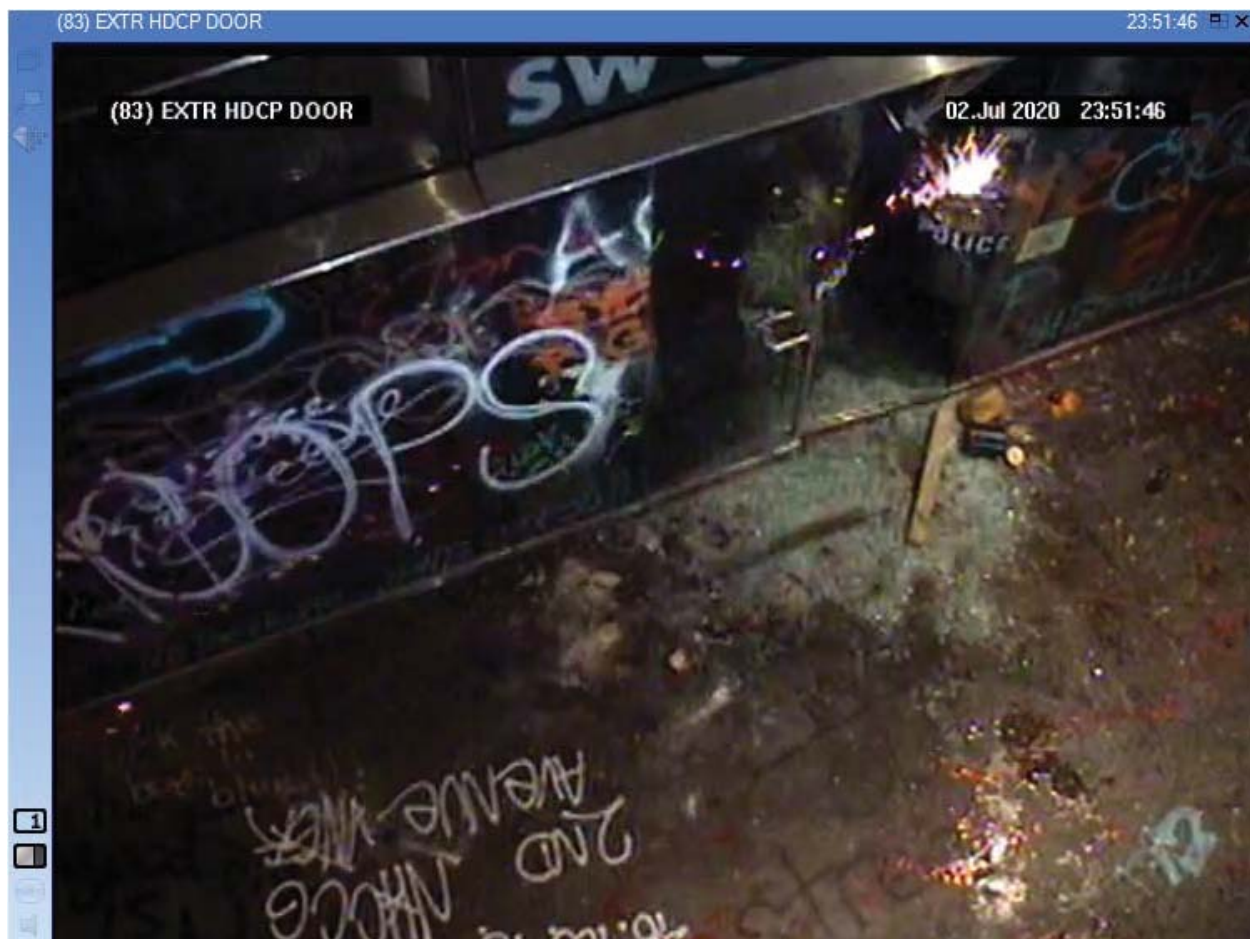


*Fireworks detonating in the entryway*





*Fireworks launched into the open doorway detonating inside the Courthouse*



*Roman candle detonating at the officers with shields in the doorway*



*Individual with camera pointed at officers standing in the doorway as a Roman candle detonates at the officers*

At timestamp 11:48 p.m., officers using a shield and deploying less-lethal weapon systems, move out of the lobby and take OLSEN into custody.

### **Conclusion**

14. Based on the foregoing, I have probable cause to believe, and I do believe, that Rowan M. OLSEN committed the following offenses: Creating a Hazard on Federal Property in violation of 41 C.F.R. § 102.74.380(d), Disorderly Conduct on Federal Property in violation of 41 C.F.R. § 102.74.390, and Failing to Obey a Lawful Order in violation of 41 C.F.R.

§ 102.74.385. I therefore request that the Court issue a criminal complaint and arrest warrant for Rowan M. OLSEN.

15. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Paul T. Maloney, and AUSA Maloney advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

*/s/ Sworn to by telephone*

*In accordance with Fed. R. Crim. P. 4.1*

David MILLER

Senior Special Agent

Federal Protective Service

Sworn to by telephone or other reliable means at 5:44 ~~xxx~~/p.m. in accordance with Fed. R. Crim. P. 4.1 this 4th day of July 2020.

*Youlee Yim You*

HONORABLE YULEE YIM YOU  
United States Magistrate Judge